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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 JOE J.W. ROBERTS, JR.,

9 Plaintiff,

10 v.

11 VILMA KHOUNPHIXAY, et al.,

12 Defendants.

CASE NO. 2:18-cv-00746-MJP-BAT

**ORDER DENYING PLAINTIFF'S
MOTION FOR EXTENSION TO
FILE RESPONSE TO MOTION FOR
JUDGMENT ON PLEADINGS**

13 Before the Court is Plaintiff Joe J.W. Roberts, Jr.'s motion for a 20-day extension of his
14 deadline to respond to Defendants' motion for judgment on the pleadings. Dkt. 38 (noted for
15 October 19, 2018). Dkt. 33. Mr. Roberts states that he the needs the extension because he lacks
adequate access to a law library and paper, and he needs additional discovery. *Id.*

16 Mr. Roberts' grounds for an extension are without merit. His filings are replete with
17 citations to case law indicating that he does have access to an adequate law library. Although he
18 complains of a lack of paper, Mr. Roberts has not been hindered in filing numerous motions and
19 other filings. *See, e.g.*, Dkts. 22, 24, 32, 38, 40, and 41. Additionally, because Defendants'
20 motion for judgment on the pleadings is governed by Fed. R. Civ. P. 12(c), which tests the
21 sufficiency of the allegations in the complaint, additional discovery is not necessary at this time.
22 Finally, the Court has stayed all discovery in this matter pending resolution of Defendants'
23 motion for judgment on the pleadings. Dkt. 46.

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1 Moreover, on October 12, 2018, it appears Plaintiff filed a response to Defendants'
2 motion for judgment on the pleadings, thus mooted his request for an extension. *See* Dkt. 44
3 (“Plaintiff’s Motion Requesting Any Just Order Under Federal Rules Civil Procedure 56(f) and
4 Opposition to Defendants Judgment on the Pleadings”). In this motion, Mr. Roberts mentions he
5 has spoken to an attorney, Jeffrey Kallis, and he asks the Court to order defendants to mail all
6 prior discovery requests to this attorney for his review. However, as this attorney does not
7 represent Mr. Roberts in this case, no such order will issue. If Mr. Kallis wishes to represent Mr.
8 Roberts, he must enter his appearance in the case and he can then file motions and make requests
9 on Mr. Roberts’ behalf.

10 Accordingly, it is **ORDERED**:

11 (1) Plaintiff’s motion for continuance (Dkt. 38) is **DENIED**.

12 (2) The Clerk shall send a copy of this Order to Plaintiff and counsel for Defendants.

13 DATED this 22nd day of October, 2018.

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BRIAN A. TSUCHIDA
Chief United States Magistrate Judge